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and appearances that more or less misrepresent or obscure developed results. Developed conditions reveal and explain all previous throes, however toilsome and distressing.

FACTS OF CONSCIOUSNESS.¹

TRANSLATED FROM THE GERMAN OF J. G. FICHTE BY A. E. KROEGER.

BOOK SECOND.—*Facts of Consciousness in Regard to the Practical Faculty.*

CHAPTER V.

NATURE AND THE INDIVIDUAL.

At this insight, that the material world is merely absolute limitation of the productive power of the imagination, one question still remains in part unanswered, namely: What is that which limits in this limitation?

The question might be put: 1. What is the ground why life limits itself at all? To this the answer is, Because it represents itself in an image, and an image is always limited and determined.

Or, 2. Why is life limited in this particular manner? This question has already been answered, in part, as follows: Because the original and absolute power of imagination is limited; and hence originates extension, quality generally, and externality outside of the Ego, all of which constitute the mere empty form of external contemplation, which has no inner significance at all. But we have already shown that the real *Inner Essence* of the world,

¹ [Various reasons have compelled us to discontinue, for a time, the publication of Fichte's "Facts of Consciousness." We shall now take it up again and continue it to the end. The work deserves careful study, as the first part of it constitutes an admirable introduction to the Science of Knowledge, while the second part is a clear exposition of the religious aspect of the Science of Knowledge, as developed by Fichte in the later period of his life. For convenience of reference to the former portion of this book, the reader may note that the parts already published are to be found in the following places: Vol. v, "Jour. Spec. Phil.," pp. 53, 130, 226, 338; vol. vi, pp. 42, 120, 332; vol. vii, Jan., p. 36.—Ed.]

as a resistance to the power of free life, must be something quite different, must be, in fact, itself a *power*—a pure *noumenon*, which no external contemplation can reach. This power or force is indeed the world, and, as such, the world is posited and altogether determined.

Whence does this determination or limitation arise as the only genuine, true, and original limitation? Evidently through original thinking itself, and in the following way:

The world, even in its inner character, as a force, and as a resisting force, is to be object of the causality of the one *common* Ego; and the force or power of this world is to be overcome by the power of that one common life. In this subjugation a certain determined power of life, peculiarly and essentially belonging to it, will, no doubt, make itself visible to universal contemplation. Now, since by the law of our science we never start from a presumptive world in itself, but always from life alone, how would it be if that resistance, the real inner power or force of the world, were originally posited and thought only as pure resistance and as nothing else, hence as that wherein the power of life and in opposition to which the power of life made itself visible?

The matter now stands thus:

Life represents itself in its unity. Being life, it is a power—a determined, peculiar power; and, moreover—since we know it to be a principle—an infinite power within its determinedness. We did not say that life represented itself in its unity internally, in the thinking heretofore described—indeed, our whole previous internal representation was not one of unity, but merely a partial one—but that life represented itself externally and in external contemplation. Hence, it cannot represent its power—in its essence, of course, for its formal condition we have already discovered in an internal but individual contemplation—as something altogether internal in this form; and the power remains in the described thinking, precisely because it is a self-externalizing, utterly unseen and invisible. Hence, if this power must nevertheless be represented in such a thinking—and, since it is a life which is to be represented, it cannot well be represented otherwise—it can be represented only in a resisting object—that is, we must add and think together with it a somewhat, which would be fully annihilated if the power of life were completely

developed. Now, if such a somewhat is added and posited—and such a somewhat is, according to us, that very internal world, which we may now, having properly raised it to its rank as a noumenon, call *Nature*—the inner power of life, although kept invisible, would yet be its real determining master, since this nature would contain only that which the power of life itself contained, but in its very opposite. And if we called the thinking of such an opposite limited—*i. e.*, limited to precisely *such* a thinking, the invisible limiting part of this thinking—the hidden premise of its contents would be the very being of the power of life itself. Now, suppose that the power of life developed itself actually within this thinking, then this same power, which was at first and without this thinking of a resistance altogether invisible, would become visible in this its being developed through contact with the resistance for a form of contemplation, which contemplates only in opposition, and hence beholds everything only as limited by its opposite. The power, thus developing itself, would henceforth always appear as limited by the resistance posited in advance by thinking, and would be visible only in a form of contemplation, thus constituted.

Remarks.—The Science of Knowledge holds Nature to be nothing else than the opposite, which absolute thinking has formed, to the absolute power of free and spiritual life, and which that thinking has thus formed necessarily in order to make that power visible, it being in itself invisible.

Now, when you tell this to a “Natural Philosopher,” and say to him that Nature is merely a limit, merely a negative, and nothing positive at all, he gets angry, and cries out aloud about the outrage committed on Nature. But that is all he does. For to enter upon the arguments of the Science of Knowledge, and to refute them by proving the opposite of what has just been advanced, would require a faculty of acute and logical thinking, of following a very extensive series of thoughts, and of employing a more than usual degree of dialectical art.

But what dim feeling is it, really, which so excites their wrath, and which certainly must have some weighty ground? It is scarcely to be expected that we shall ever learn it from them; hence we must try to put speech into their mouths. The matter is this:

The conception of an Absolute Being, altogether of itself, through

itself and in itself, is ineradicably impressed upon consciousness; and just as ineradicably there is impressed upon consciousness the impossibility of transferring this conception to itself (to the Ego) and of positing itself in any way as the Absolute. Now, those philosophers, together with all their contemporaries, have believed the Science of Knowledge to make the Ego that Absolute, in violation of the ineradicable consciousness before mentioned. Believing this, they, of course, were forced to improve on such a system. But this improvement turned out to be an unhappy one, since they made Nature the Absolute, after it had resulted, of course, that the Ego could not well be the Absolute. They argued: Either the Ego or Nature; there is no third; for their range of vision reached only these two. Their wrath is excited, really, because they think that, since we will not let Nature pass for the Absolute, we must necessarily make the Ego the Absolute. But in this they are mistaken; we draw no such consequence; for our more extensive range of vision embraces something more than those two factors.

Nature remains for us a mere limit, subordinated to the Ego, its pure product, namely, as one life. An Absolute outside of the Ego and of Nature, extending to the former, and by its means also to the latter, their proper point of support, we shall learn to obtain in another way.

Let no one here hasten to put in the mediation of those ever-ready peacemakers, who would say that the whole matter is probably a mere word-dispute. True, we know, as cannot well be otherwise, and we are sorry for it, that, in thus making Nature the Absolute, they, at the same time, constitute Nature their God; and we know also very well that they do not really represent the separate objects of Nature as being such God, but transfer this their conception of God to a common World-soul or internal Force of Nature underlying all phenomena of Nature, which Force of Nature, indeed, if matters turn out well, and if a proper height of sublimity is attained, is said to project itself in some phenomena of Nature as self-consciousness. (If they were at all habituated to thinking closely whatever they think instead of indulging in superficial phantasies, they would comprehend, at this very place in their system, that there is no thinkable transition whatever from a force of Nature, simply manifesting itself, to a return of such force into itself in a duality and form of reflection!) But we

see clearly that every principle, which is to be *realiter* a principle of sensuous appearance, is itself sensuous, and cannot be at all thought as supersensuous and spiritual; not even as an Ego, much less as God; and that hence only two ways are open to them. Either they should confess that they lack insight into the unity and connection of the appearance, seizing it only separately and scattered about as it presents itself, and that hence they are no philosophers; or, if they will lay claim to this title, and thus admit a supersensuous and spiritual as real, they must utterly drop their reality of the sensuous, since it is absolutely impossible to connect the two; and they must learn to comprehend the whole sensuousness as mere form of contemplation of the supersensuous, even as the Science of Knowledge comprehends it.

According to all that we have said before, the sensuous world is no more an object of experience than the previously established parts of the self-representation of life in its unity, but is altogether a something *a priori*. It is not a foreign something, which enters into contemplation and thinking, but is necessarily grounded in them. Its universal, external form, materiality and quality in general, originates in the peculiar form of the power of imagination; hence it does not belong to itself, but to the latter, and is formed in opposition to it. As we said before: The limitation of the power of imagination makes an object visible—so now we may say: The object makes visible the power of imagination, and its internal determinedness—for instance, of infinity. Moreover, since consciousness must begin somewhere, and must begin precisely at this point, the power of imagination here becomes first partially visible; and this its form here first enters the range of vision. It is true that, in order to recognize this form as form of the power of imagination, and as an absolute form, we need something else—namely, free reflection, which itself, however, is possible only under the condition of that immediate contemplation of the object. Thus matters stand in regard to the external form. But the internal part of the sensuous world is, as we have described it just now, the expression of the real, final, and original power of life by its opposite. It is, therefore, formed through the real power, just as matter, etc., is formed through the power of imagination. This inner sensuous world is determined by that power of life, and nothing can arise in it except its opposite and annihilating

power be in that power of life. The sensuous world is thus nothing but an image by means of the opposite of the power of life according to the two chief forms of the latter, imaginative and real power; it is, therefore, absolutely determined *a priori*, and not accidental. (There is positively nothing in it but the component parts of this image; take them away, and nothing remains, no *residuum*, no unknown something = x.)

We have shown above that the sensuous world is not posited by the individual as such, but as one life; and this also appears from the mere analysis of the thinking of a sensuous object. That which is individual is perceived simply because the Ego in its inner contemplation perceives itself as the principle of that individual; hence, it is visible, and exists only as the result of that principle, as we have seen above in the instances of the freely produced conception of a purpose of reproduction, etc. But, as such, it ceases the moment that the Ego ceases to hold it fixed by immediate production. Hence, a fixed, independent existence, independent of free representation, does not pertain to it. Now, if we produced objects in this manner we should regard them as representations, which would drop away as soon as we should cease to represent them. (Idealism is often described as assuming this to be the case, but it is a complete misapprehension.) But we ascribe to them an independent being, as a sign that we give them an image of a being, which we, as individuals, cannot take away from them again, and which does not depend upon our inner contemplable freedom: namely, an image of the One. They are not representations; hence, they are things themselves immediately. We do not have and possess these things in our immediate contemplation through representatives, but we possess themselves in their immediate essence, since, in reality, they are, after all, nothing but appearances, and the appearances which we (the universal Ego) possess ourselves. This extremely important and altogether misapprehended point of our Idealism must be stringently insisted upon. There are systems, for instance, according to which things do not appear as they are in themselves, but are changed in a manifold manner by our representations. The fundamental error lies here, in the circumstance that another being than the being of their appearance is attributed to them. According to us, the things appear absolutely as they are, for they

are nothing else than their appearance. They are throughout and throughout appearance, to use an expression which was formed, as it seems, to terrify us, but which we quietly appropriate to our own advantage.

Besides—to prove our proposition by another side of the analysis—the objects of the sensuous world are posited immediately as absolutely valid for others as soon as we reflect upon such objects and gather them up in the act of objective thinking, a sure proof that all we have now described is a single synthetical thinking period, through which the whole external world arises for us.

CHAPTER VI.

GENERAL REMARKS.

We review all the preceding in order to attach to it some general remarks.

Result of the Whole.—The presupposed life of consciousness represents itself in its unity immediately through itself. The objective views of the world hitherto established are those representations. It is true that that life of consciousness is broken, which means that it is repeatable many times as the same life—for, as yet, we have not noticed any real inner distinctions of the individuals, but have considered them all as the same.

1. Now, how did we arrive at this result? Evidently without any argumentation and proof, and merely by the free maxim of our science to regard consciousness as a particular phenomenon of itself, without any foreign mixture; hence, by mere scientific form. In this, therefore, all philosophy, which claims to be a science for itself, ought to agree with us. But the philosophers opposed to us in this have not even allowed consciousness to pass for an appearance standing on its own feet. Our treatment finds its first discoverer in Kant. Such a treatment of consciousness is justly called Idealism, and all philosophy must, therefore, according to us, be Idealism from the first start and in its beginning. It might become something else by an exposition of the ground of consciousness. But this question is not raised until we have completed the list of facts, and meanwhile we explain the phenomenon out of itself, so long as we can do it at all.

2. We see here, clearly, the distinction of our system from that which assumes sensuous things existing in themselves and makes them the basis of consciousness—a system which we will not call by the ambiguous name dogmatism, but plainly materialism, to which name it can raise no objection if it is logical. This system says: In all hitherto established objective views of the world, the sensuous world represents itself; but our system says: It is the life of consciousness which represents itself in them. We agree, however, in this, that it represents itself in the same form of an altogether determined and necessary thinking. The difference between both expressions is apparent; the only question is, What is the real point of the dispute? It is this: Materialism posits the things as the ground of the life of consciousness. Now, this we contradict. At least, in the described consciousness it is life that represents, and life represents itself in it. Another and higher question is: Does it not also represent a something else, outside of itself, while it thus represents itself and in its self-representation? It is possible, and it will turn out to be so. This is the inquiry after the ground. But materialism makes use of this proposition from the very start, without any necessity, and in an altogether unsatisfactory manner. According to materialism, consciousness represents the sensuous world in itself. The materialist says: Things exist. This we also say, and say it as emphatically as he may desire. But he also says: Hence, the things are at the same time the *ground of our representations* of them. Here we perceive a whole tissue of fictions. Of course, they exist; but how do you know that they are at the same time such ground? You furthermore assert that we have only representations of them, which is in direct contradiction to an accurate observation of self-consciousness. Finally, you connect these two fictions by a relation, which is also purely fictitious, in making one of them the ground of the other—a fiction which is, moreover, completely unintelligible, for you have never yet uttered, nor will you ever be able to utter, a sensible word concerning the manner in which a thing can change into an image essentially different from the thing, and in another power separated from the thing and also essentially different.

3. We also remark the difference between our system and every kind of speculative Individualism, but especially idealistic Indi-

vidualism. Every philosophical system intends to explain consciousness; which is perfectly right. But all previous philosophical systems, without exception, rose no higher in this undertaking than to explain the consciousness of a single individual subject, which naturally meant the individual subject just then philosophizing. The consciousness that was to be explained has never been thought as the consciousness of one life, embracing and cancelling all individuality. The Science of Knowledge is the first system that has done this, and has done it in such a manner that no one has observed it, but imagined that Science to be also an individualism. One good result, however, was the consequence: people began to perceive that it ought not to be thus.

It is true that the materialist, by silently presupposing a number of Egos—for otherwise he cannot arrive at them—can explain the harmony in their representations of the sensuous world by basing himself on the thing in itself and the impressions which it makes in accordance with its being. But—apart from his inability to explain himself as a representing being—he can never explain the representation—his own, for instance—of other rational creatures outside of himself. For I should like to know what sort of an impression of a *sensuous object* that would be by means of which the image of an altogether supersensuous Ego would arise, and what sort of an activity that would be through which the image of an inactive and altogether in itself locked-up and separated principle would be produced.

Idealistic individualism, indeed, loses its deduction at the very first point. Space is the form of my contemplation; hence, whatever is in space will easily follow as being also my contemplation. But who, then, is this Ego? I do not desire the answer, which you would like to give me, impelled thereto by a dim feeling, but I want the answer, which you must give me logically. How do you know, then, that space is the form of contemplation? Surely, only through immediate inner self-contemplation, which is individual. Now, unless you have higher principles in your Speculation, this self-contemplation can have validity only for itself, for the individual. Space is form of your individual contemplation; this is what your self-contemplation states. But how are you now going to draw the consequence, in violation of all rules of reasoning, that space is also the form of contemplation of other indi-

viduals (if you, indeed, are able to posit them), since you ought rather to conclude the opposite?

Remark.—Kant, it is true, answers the problem just proposed in a different manner. He says: *For us men*, space is the form of contemplation. But let us ask, first, what is the word *men* to signify here, and what can it signify at all? If it signifies the opposite to irrationality, then it is equivalent to rational beings, and the expression ought always to have been so understood. But if it is intended to signify more, then an opposition between rational beings themselves ought to have been indicated; a classification in their general sphere between rational and irrational men. In which case I ask: So far as thinking is concerned, can you think other rational beings than those that are contained in the general form of reason of the Ego? The question is not merely whether you can think otherwise, but whether such another thinking would not be an absolute contradiction, and whether that form of reason is not the only possible one. Hence, on the field of thinking, no such opposition is possible. Or do you, perhaps, behold such other rational beings, in which case the opposition would be transferred to the sphere of contemplation? You will not be able to prove such contemplation, however much you may imagine other bodily forms of rational beings. But, on the field of contemplation, you are limited to the reality of contemplation, and your imaginations are phantasms which you would do wisely to avoid. I should like to know whether Kant would seriously state that any kind of rational beings might not have the contemplation of space, but something else in its place.

Kant, therefore, ought to have said, and intended to say, that Space is the form of contemplation for all rational beings. But where is there any trace of a proof of this in his system? He has not demonstrated that the evidence, which, in point of fact, emanates evidently from his own individuality, has universal validity for all subjects, although, in point of fact, he applies it, and does not even mention that he does so. But does he not speak of the validity of the categorical imperative for all men? True, but not otherwise than he has spoken already in the Introduction to the "Critic of Pure Reason" of Extension as the form of contemplation for us men. If it were his speculative system which spoke thus, he would have to show up this categorical imperative as the

determining ground of some particular consciousness (as we have pointed out, the power of life as the determining ground of the Internal of nature), and, moreover, of that consciousness through which many and all are posited. He would have to show up the many and the all as the form of contemplation of a categorical imperative, precisely as we have represented the sensuous world as the form of contemplation of the development of the living power, and as will probably, indeed, appear to be the fact. Hence, he has neither deduced that consciousness of the unity of life in the many—though we have, also, not done this as yet—nor has he expressly stated it to be a fact of consciousness—which we have done in the preceding—but he has simply presupposed it, quietly, driven thereto by common sense. Hence, if the tendency of his mind, his common sense, was not individualistic, his system was at any rate; but then common sense, from time to time, corrected his system.

4. This insight into the self-representation of the unity is also the only means by which to explain the validity of everything *a priori* for every rational subject, as well as the claim of each such being to this validity. The universal validity for the whole sphere of objects, of which we have spoken just now, and which must carefully be distinguished from the former, has already been explained. If I see that the object is produced through me, as the principle, and that I am limited by my faculty to produce it only in this particular manner, then I comprehend clearly that the object cannot be produced by me differently in all eternity, and that, hence, it also cannot be differently for me. The question is now, what this principle is. For if it is my Ego as individual, then that objective validity holds good only for me the individual, and we cannot understand how any one else can be presumed to acknowledge it. But if that principle is absolutely the one and universal life of reason, and if it is immediately posited as such unmistakable, then it becomes evident that the universal validity must hold good for this life of reason, and for every one in whom it manifests itself, and that each one who comprehends this is entitled to presume that every one else will admit it.

Remark.—But, in order that such a universally valid somewhat should be actually valid for a given individual, it is necessary, firstly, that the individual should give *attention*. This attention

is an act by which the individual makes itself the One Life, with abstraction from its own inner imaging and contemplating.

Now, since that universally valid somewhat is valid for the One Life, it is evident that every individual for whom it is to be valid must make himself that One Life. But this attention presupposes, secondly, that it should be possible in the way required by the character of that valid somewhat. For instance, to see a visible somewhat we must look—that is, attend; but this can be required only from those who have eyes. It is the same with the inner insight. For although we cannot presuppose absolute blindness on this field, the faculty of thinking, after all, develops itself only gradually and by exercise to its higher degrees, and thus it may well happen that a universally valid truth may not be valid for somebody, in spite of all his attempted attention and goodwill to comprehend it, simply because his faculty of thinking has not yet been developed in the region wherein that truth lies.

ON THE NATURE OF PROPERTY AND ITS DEVOLUTION.¹

BY J. G. WOERNER.

Analysis.—I. Of the nature of property; its acquisition, use, and alienation. §§ 1–3.

II. Devolution of property on the death of its owner; rights of the family. §§ 4–8.

III. Administration; officers and courts having charge of the same. §§ 9–11.

§ 1. *The Acquisition of Property.*²

My property is that which is *mine*. That only is mine which I *acquire, hold, and dispose of* by my will. It is *my will* which de-

¹ [This article forms the introductory chapter to a forthcoming work on Probate Law, by Judge Woerner.—Ed.]

² The definition of property has been attempted upon various theories. An able writer, Mr. U. M. Rose, has published, in the "Southern Law Review" (vol. ii, N. S.,